

### **Remark**

Applicant respectfully requests reconsideration of this application as amended. Claims 1, 9, 29, 36 and 43 have been amended. Claim 6 has been cancelled. Therefore, claims 1-5 and 7-49 are present for examination.

### **35 U.S.C. §112 Rejection**

The Examiner has rejected claims 1-8 under 35 U.S.C. §112, second paragraph as being indefinite. “the receiving system” has been amended to “a receiving system.”

### **35 U.S.C. §101 Rejection**

The Examiner has rejected claims 29-35 under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter. Claim 29 has been amended to include elements that are unambiguously tangible hardware.

### **35 U.S.C. §103 Rejection**

#### ***Manning in view of Morgenstern***

The Examiner has rejected claims 1-3, 7-13, 15-20 and 22-23 under 35 U.S.C. §103(a) as being unpatentable over Manning, U.S. Patent Publication No. 2002/0103829, (“Manning”), in view of Morgenstern, U.S. Patent No. 5,970,490 (“Morgenstern”). There is a fundamental difference between the XML documents and the persistent data of the primary reference. The independent claims are amended to further emphasize this difference.

### **Other 35 U.S.C. §103 Rejections**

The remaining rejections all rely on the Manning, Morgenstern combination and are believed to be traversed on similar grounds.

### **Conclusion**

Applicant respectfully submits that the rejections have been overcome by the amendment and remark, and that the claims as amended are now in condition for allowance. Accordingly, Applicant respectfully requests the rejections be withdrawn and the claims as amended be allowed.

### **Invitation for a Telephone Interview**

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

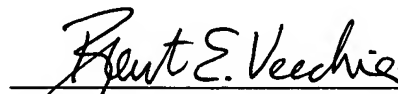
### **Request for an Extension of Time**

Applicant respectfully petitions for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.  
Charge our Deposit Account.

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: November 29, 2006

  
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